IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

THURSDAY, THE 5TH JULY 2007 / 14TH ASHADHA 1929

WP(C).No. 16351 of 2006(V)

PETITIONER:

RAVI ABRAHAM,
KARINGATTIL BENEDICT NAGAR, NALANCHIRA,
THIRUVANANTHAPURAM.

BY ADV. SRI.M.BALAGOVINDAN
SRI.M.R.SASITH

RESPONDENTS:

STATE BANK OF INDIA,
P.B. BRANCH, KESAVADASAPURAM, THIRUVANANTHAPURAM,
REPRESENTED BY ITS CHIEF MANAGER.

BY ADV. SRI.P.V.SURENDRANATH

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 05/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC NO.16351/2006

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF THE AFFIDAVIT SWORN IN BY THE RESPONDENT ON 26.5.2006

EXT.P2: COPY OF THE SALARY CERTIFICATE OF THE PETITIONER ISSUED BY THE REGISTRAR DATED 17.1.2006

EXT.P3: COPY OF THE ORDER PASSED BY THE EXECUTION COURT IN E.P. NO.648/2005 IN O.S. NO.314/2003 OF THE FIRST ADDL. MUNSIFF COURT, THIURVANANTHAPURAM ON 2.6.2006

RESPONDENTS EXHIBITS:

EXT.R1(A): COPY OF THE CERTIFICATE ISSUED BY THE REGISTRAR OF THE TROPICAL BOTANIC GARDEN AND RESEARCH INSTITUTE.

/TRUE COPY/

PIUS C. KURIAKOSE, J.

W.P.(C) NO. 16351 of 2006

Dated this the 5th day of July , 2007

JUDGMENT

Heard both sides. Perused the records including the documents produced by the respondents along with the counter affidavit. I do not think that this court will be justified in invoking the supervisory jurisdiction in favour of the petitioner. Even otherwise it is clear from Ext.P3 that the court became obliged to accept the testimony of PW1 in the absence of any counter evidence at all. The genuineness of the salary certificate which was produced by the petitioner before the court below is very much doubtful in the light of Ext.R1(a). The challenge against Ext.P3 fails.

The writ petition will stand dismissed.

PIUS C. KURIAKOSE,
JUDGE.

dpk